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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,365	03/16/2001	Yeong-Taeg Kim	SAM1.0084	9213

23386 7590 01/03/2007  
MYERS DAWES ANDRAS & SHERMAN, LLP  
19900 MACARTHUR BLVD.,  
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IRVINE, CA 92612

EXAMINER
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BUI, KIEU OANH T

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/810,365

Applicant(s)

KIM, YEONG-TAEG

Examiner

KIEU-OANH BUI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/10/06 has been entered.

### *Claim Rejections - 35 USC 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --  
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

3. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Gagnon et al. (U.S. Patent No. 6,522,342 B1).

Regarding claims 1 and 23, Gagnon teaches a receiver for a digital video service network, the receiver comprising means for receiving a digital television signal broadcast by a broadcaster over a transmission medium (Fig. 1 and col. 8/line 36 to col. 9/line 29); and the digital signal

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including a preview program and broadcasting schedule information, wherein both the preview program and the broadcasting schedule relating to a main program (Figs. 5-7 & 10-11, and col. 17/lines 15-55 for preview program); means for decoding the digital television signal (col. 25/line 48 to col. 26/line 63 for details on the receiver for decoding the digital signal); means for providing an output signal reflective of the preview program for display; and wherein the preview program and the broadcast schedule information is received simultaneously at the receiver for displaying (as shown in Figs. 2A, 9, 11 and col. 10/line 50 to col. 12/line 25 for GUI and displaying concerned).

For claims 2, 3 and 4, Gagnon teaches these known features for receiving digital signal and extracting bit streams as well as TS demultiplexer for outputs preview and broadcast schedule information (col. 25/line 60 to col. 26/line 36 & Figs. 2A, 5-6, 9, 11).

For claim 5, Gagnon teaches a data manager as a system manager for handling the control task for directing the stream flow of data from the digital television signal (refer to Fig. 23 and col. 27/line 35 to col. 28/line 8).

For claims 6-8, Gagnon teaches these know feature of a digital storage device, application decoders for decoding audio/video bit streams (Figs. 22/item 434 for video/audio decoder; Fig. 23/item 540 for storage), and for generating an icon to overlay the video output of the decoded video signal during display (Fig. 23/items 506 & 508 for video mpeg driver and video VGA driver for outputting the display; and as shown in Fig. 9 for a plurality of icons in preview program sections).

For claims 9-12 and 24, Gagnon teaches means for downloading the broadcasting schedule information while the preview being decoded and displayed including describing main program, a channel number and a start time (Figs. 10-12, and col. 15/line 30 to col. 16/line 55; and Figs. 32a-32b & col. 36/lines 15-42 for an example of checking and comparing the clock with start times of broadcast programs).

For claims 13-22, these claims, with similar features and methods as noted earlier and further addressing MPEG2 for digital signal (Gagnon teaches on col. 26/line 65 to col. 27/line 24 for MPEG digital signal), are rejected for the reasons given as discussed in claims 1-12 and 23-24 above.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reynolds et al., Knowles et al., Look et al. and Vallone et al. (PTO-892 attached) disclosed systems related to interactive EPG system with preview and broadcast schedule information.

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to PTO New Central Fax number:**

(571) 273-8300, (for Technology Center 2600 only)

Hand deliveries must be made to Customer Service Window,

Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (571) 272-7291. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller, can be reached at (571) 272-7353.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'K. Bui', with a long horizontal line extending from the end of the signature.

Kieu-Oanh Bui  
Primary Examiner  
Art Unit 2623

KB  
Dec. 19, 2006